

**Notice of Allowability**

Application No.

10/809,222

Examiner

Sanza L. McClendon

Applicant(s)

HORI ET AL.

Art Unit

1796

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/4/07
2. ☒ The allowed claim(s) is/are 1-10 + 12-17
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. Please note the examiner of record has changed. The new examiner will be Examiner Sanza McClendon.

#### ***Response to Amendment***

2. In response to the Amendment received on September 04, 2007, the examiner has carefully considered the amendments. The examiner acknowledges the addition of new claims 14-17. The claim rejection under 35 U.S.C. § 112, 2nd paragraph for claims 1-13 have been overcome by the amendment and has hereby been withdrawn for consideration.

#### ***Response to Arguments***

3. Applicant's arguments, see Remarks/Amendment, filed September 4, 2007, with respect to claims 7 and 10 have been fully considered and are persuasive. The rejection of claims 7 and 10 under 35 USC 103(a) as obvious over Martin et al (7,101,930) has been withdrawn.

#### ***Allowable Subject Matter***

4. Claims 1-10 and 12-17 are allowed.

5. The following is an examiner's statement of reasons for allowance: The prior art, alone or in combination, fails to teach a method for producing an oil-in-water emulsion containing internally crosslinked fine resin particles, wherein said fine resin contains an internally crosslinked fine resin particle, wherein said fine resin particle is encapsulated in an emulsion particle having an average particle diameter of 0.02 to 0.3  $\mu\text{m}$ , comprising the step of undergoing phase transition from an water-in-oil emulsion (Y) comprising a resin (A) having a cationic groups or an anionic groups, an acid or a base (B) to neutralize 20 to 150 mole percent of the cationic or anionic groups in the resin (A), an internally crosslinked fine resin particle (C), having an average particle diameter of 0.01 to 0.2  $\mu\text{m}$ , and being dispersed in an oil phase and an aqueous medium (D) to an oil-in-water emulsion (Z) by adding further aqueous medium (D) to the water-in-oil emulsion (Y). Additionally, the prior art, alone or in combination, fails to teach a method for producing an oil-in-water emulsion containing internally crosslinked fine resin particles, wherein said fine resin contains an internally crosslinked fine resin particle, wherein said fine resin particle is encapsulated in an emulsion particle having an average particle diameter of 0.02 to 0.3  $\mu\text{m}$ , comprising the step of forming an oil-in-water emulsion (Z) by adding an aqueous medium (D) to an oily medium (X) comprising a resin (A) having a cationic groups or an anionic

groups, an acid or a base (B) to neutralize 20 to 150 mole percent of the cationic or anionic groups in the resin (A), an internally crosslinked fine resin particle (C), having an average particle diameter of 0.01 to 0.2  $\mu\text{m}$ , and being dispersed in an oil phase. Likewise, the prior art, alone or in combination, fails to explicitly teach and/or fairly suggest a cation electrodeposition coating composition comprising an oil-in-water emulsion, said oil-in-water emulsion comprising: an epoxy resin (A-1) having a cationic group, and/or a block isocyanate (H-1) and/or a melamine resin (H-2) and an emulsion particle containing one or more internally crosslinked fine particle resin (C) wherein said one or more internally crosslinked resin particles have a particle diameter of 0.01 to 0.2  $\mu\text{m}$ , said one or more internally crosslinked particles (C) are in an oil phase and the oil-in-water emulsion containing said one or more internally crosslinked resin particles has an emulsion particle diameter of 0.02 to 0.3  $\mu\text{m}$ .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Drawings***

6. The drawings, filed March 25, 2004, have been approved by the examiner.

#### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Sandra E. McClendon', written over the printed name.

Sandra E. McClendon

Examiner

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